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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,577	02/27/2004	Ga-Lane Chen		9131

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FOXCONN INTERNATIONAL, INC.
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EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
2871	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/788,577	Applicant(s) CHEN ET AL. 	
	Examiner Dung Nguyen	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-6, 13 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's amendment dated 11/09/2005 has been received and entered. By the amendment, claims 1-6 and 13 are now pending in the application.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6 and 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamaru et al., JP 2001-281654, in view of Iijima, US Patent No. 6,906,767, as stated in the previous office action.

Regarding the above claims, Nakamaru et al. figures 1 and 8 disclose a liquid crystal display (LCD) element comprising:

- . a backlight module (figure 1) having a light source (104), a light guide plate (101) with a plurality of V-shaped grooves on a top surface (see figure 5(b)) and a plurality of dots (103) on a bottom surface, a reflector (106) and a quarter-wave plate (109);
- . an LCD panel having a polarizing element (107);
- . a brightness enhancing film (polarization division plate 108).

Nakamaru et al., however, do not disclose a reflective polarizing plate and a diffuser. Iijima does disclose an LCD device with a diffuser (30) having a reflective polarizing plate (40) together with a backlight module (70, 80) (see figure 9). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ a reflective polarizing plate (instead of the Nakamaru et al. polarizing plate) and a diffuser in an LCD device as shown

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by Iijima in order to improve display characteristics (e.g., display brighter – see col. 14, lines 27-28).

Response to Arguments

3. Applicant's arguments filed 11/09/2005 have been fully considered but they are not persuasive:

Applicant's arguments are as follow:

- a. The projecting and recessing parts function as the polarizing division plate.
- b. No embodiment of Nakamura discloses using a quarter wave plate, a light guide plate, a reflective light polarizer together.
- c. It would not have been obvious to modify to provide a reflective polarizing plate since that function is already performed.
- d. The prior art embodiment of Nakamura et al. still not disclose the use of a quarter-wave plate in conjunction with the other elements.

The examiner's responses are as follow:

- a. the projecting and recessing parts might function as the polarizing division plate; however, Nakamaru et al. do not disclose that such polarizing division plate is a reflective polarizing element as claimed in claims 1 and 13. Therefore, the rejection under 35 USC 103(a) has been issued. In addition, as asserted by Applicant, claims 1 and 13 should be rejected under 35 USC 102(b)?

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- b. Nakamaru et al. figure 8 shown a typical an LCD device which of Nakamaru et al. modify to improve a display brightness, so as the combination the Nakamaru et al. backlight to the typical LCD should be made.
- c. In response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes flat references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ 607 (CCPA 1975). The test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971) references are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA 1969). In this case, the modification to provide a reflective polarizing plate in an LCD would improve display characteristics (Iijima, col. 14, lines 27-28). It should also be noted that claims 1 and 13 is an "open" statement claims by "comprising" term, so as there is no limited to combine any optical element to a display for the purposes of improving a display characteristic.
- d. As stated in b., the modification to figure 8 would have been obvious as the Nakamaru et al. purposes.

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Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

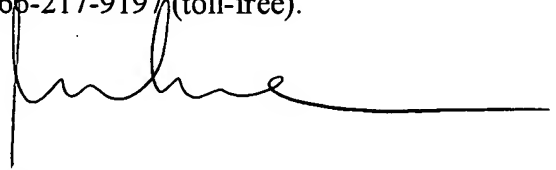
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN
01/23/2006



Dung Nguyen
Primary Examiner
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